ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

1:00 PM

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JAN 0 6 2003

PAT. & T.M. OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Robert W. Welsh Eveready Battery Company Inc. 25225 Detroit Road P.O. Box 450777 Westlake, OH 44145

Appeal No: Appellant: Application No: Hearing Room; Hearing Docket: Hearing Date:

Hearing Time: Location:

Paper No: 2002-1116 Nardi, John C. 09/213,544 Tuesday, February 11, 2003

## NOTICE OF HEARING

# CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one

appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and filed with the Board of Patent Appeals and Interferences preferably by facsimile within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this form may alternatively be filed by

Failure to file this form within this time period will be construed as a waiver of the request for oral mail if facsimile is not available. hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:

(703) 308-6199 See 1108 Off. Gaz. Pat Trademark

Office 15 (Nov. 14,1989)

**BPAI Mailing Address:** 

BOARD OF PATENT APPEALS AND INTERFERENCES COMMISSIONER OF PATENTS AND TRADEMARKS

WASHINGTON, D.C. 20231

Clerk of the Board (703)-308-9797

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

HEARING ATTENDANCE CONFIRMED HEARING ATTENDANCE WAIVED

Signature of Attomey/Agent/Appellant

#### CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this paper, together with all enclosures identified herein, is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703 308-6199) on the date indicated below.

Date

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appeal No.:

2002-1116

Appellant:

Nardi, John C.

Appl. No.:

09/213544

### TRANSMITTAL LETTER

Assistant Commissioner for Patents Washington, DC 20231

The following document is being transmitted via facsimile:

Confirmation of Hearing Attendance

Respectfully submitted,

Russell H. Toye Jr. Registration No. 43,200

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